

**Town of Sunset Beach
Monthly Council
Work Session & Regular Meeting
September 8, 2014**

MINUTES

Members Present: Mayor Ron Watts, Mayor Pro-Tem Lou DeVita, Councilman Terry Johnson, Councilwoman Carol Scott, Councilman Wilson Sherrill, and Councilman Mike Williams

Members absent: None

Attorney & Staff Present: Susan Parker, Town Administrator; Cindi Stephenson, Deputy Finance Director; Dustin Graham, Public Works Director; Richard Childres, Assistant Fire Chief; Lisa Joyner, Police Chief; Sandy Wood, Building Inspections Department Director, and Lisa Anglin, Town Clerk

**Work Session
6:45 pm**

Mayor Watts called the Work Session to order, called for agenda amendments, and general discussions by the Council.

Agenda Amendments

Mayor Pro-Tem DeVita requested to add Agenda Item 6e – Annual Report. The Council agreed.

Council Discussion

Beach Sweep – Councilwoman Scott requested that when Beach Sweep is rescheduled to notify residents through social media.

A Mayor's Roundtable with Representative Bill Shuster – Mayor Pro-Tem DeVita reported about a meeting held with area Mayors and Representative Bill Shuster, the Chairman of the House Transportation and Infrastructure Committee which is the authorizing committee for transportation and infrastructure related legislation and agencies including oversight authority of the Army Corps of Engineers. Some of the discussion items included the new waterway designation bill they are working on; two year funding consideration for projects so that coastal communities can maximize available work periods and the legislature taking back the authority that has fallen to the agencies. Representative Shuster indicated that he would like to become more familiar with all of the NC coastal communities.

Jaguar's Lair – Councilman Sherrill advised a report will be available at the October meeting as the Town is waiting on the engineer report.

Flood Maps – Mayor Watts advised that the preliminary flood maps can be viewed by link on the Town website and that Town officials will be attending a meeting in the coming weeks to obtain further information and to determine the dates when public comments will be accepted.

Council Discussion (Cont.)

Summer Concert Series – Councilman Sherrill advised that the final concert is Wednesday from 6 – 8 pm and the band Smokin Hot will be performing. Councilman Sherrill thanked the committee for their hard work to make the concert series a success.

Ride to the Beach Event – Mayor Watts advised the event is scheduled for September 20th and 21st with 150 riders participating.

Sunset at Sunset – Councilman Williams advised that Sunset at Sunset is scheduled for Saturday, October 4th. The Council and Staff will work the Town Booth providing information to the community and answering questions. The Fire Department and Police department personnel will also be on site.

Breakaway to the Beach – Mayor Watts advised that event is scheduled for October 17th – 19th with 400-500 riders expected. Volunteers are needed.

Wounded Warriors – Mayor Watts advised the Wounded Warriors will be riding through Town on October 17th at 12:00 noon with a brief stop at the Gazebo. Organizers are requesting fruit and water.

September and October Work Sessions Rescheduled – The Council rescheduled the September Work Session to September 22nd at 1:30 pm and set the agenda to include a review of the Beach Strand operation and a Sunset at Sunset update. The Council rescheduled the October Work Session to October 29th at 9:00 am and set the agenda to include the Bike Plan Project cost and the stormwater drain update.

Staff Recognition – Mayor Watts recognized three (3) staff members: Cindi Stephenson for audit preparation work, Richard Childres for surfer rescue and Dustin Graham for the surf chair program.

**Monthly Meeting
7:00 pm**

Call to Order & Pledge of Allegiance

Mayor Watts called the monthly meeting to order and the Pledge of Allegiance was recited.

Consideration of Draft Agenda Adoption

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

Pete Larkin 453 Lake Shore Drive – Read a prepared statement concerning the ownership and maintenance responsibility for Twin Lakes.

Public Comments (Cont.)

Jean Hutchinson 436 6th Street – Read a letter from the Beautification Committee concerning the roundabout landscaping and the proposed materials to be used. Requested the Town consider placing a flag pole in the center instead of a tree.

Rich Cerrato 517 Twisted Oak Lane – Congratulated the Staff for recommending the option to return the maintenance responsibility for Twin Lakes; requested the Council to research why this maintenance program started and to research the other ponds that are being maintained also.

Town Administrator Report

Susan Parker advised that the Recycling Applications are being mailed this week. The cost is \$45.48 for every other week pickup and \$61.28 for seasonal pickup every week for those areas receiving the second weekly garbage pickup currently. Parker advised that Town Hall has received numerous emails concerning tents and cabanas on the island and will provide the pros and cons to the Council during the September Work Session. Parker advised that the interviews went well, two were offered the position and both declined. The position has been re-advertised and interviews are being scheduled.

Departmental Reports

Police – Chief Joyner reminded residents to be on the lookout now that the season has ended and to report any suspicious activities to the Police Department.

Public Works – Dustin Graham informed the Council of stormwater drainage issues on the island at 30th Street and North Shore Drive and on the mainland on Kings Trail. Susan Parker advised that an engineer has been hired to design the repair at 30th Street. Staff is working on a 5-10 year capital projects plan for drainage issues that will be detailed to Council during the October Work Session.

Building Inspections – Sandy Wood advised that remodeling permit numbers are up now that the season has ended. Wood announced that the developer of the Senior Citizen Apartment Building did receive funding and plans are expected in Town Hall by January.

Fire Department – Richard Childres advised that routine maintenance is being performed on the latter truck and it will be positioned at Fire Station 1 until the maintenance is completed.

Finance Department – Susan Parker advised that the Auditor were in Town Hall last week and that Staff provided all documentation requested.

Old Business

Withers & Ravenel Town Park Boardwalks

Jim Canfield and Jeff Thompson, Withers & Ravenel Representative, came before the Council to discuss the issues with the boardwalk material to be placed within the 30' buffer and the violations discovered by the NC Department of Environment and Natural Resources and CAMA upon a site visit. Thompson proposed three (3) options to resolve the issue with the boardwalk: do away with the permatrex and build a wooden boardwalk, replace the threads with another

Old Business (Cont.)

Withers & Ravenel Town Park Boardwalks (Cont.)

material or proceed with the material as is. Thompson advised that due to the violations discovered regulatory paperwork that needs to be provided for approval includes Sedimentation and Erosion Control Plan, CAMA Major Permit and a Stormwater Management Permit. Thompson advised that once the Sedimentation and Erosion Control Plan is submitted the probability of the Town receiving a fine is removed. Thompson advised that the footings for the permatrex are 30" and the footings for a wooden structure would be 24". Thompson advised that the permatrex manufacturer has reengineered the footings to 24". Thompson explained that the cylinder footing material will be below ground with a smaller 14" pier above ground to support the platform. Susan Parker advised that although CAMA officials had issues with the footings, they were more concerned with the slated permatrex decking material. Thompson advised that the Town could request a variance from CRC to approve the permatrex material as is. The Council rejected the option of obtaining a variance from CRC. Thompson advised that without the variance the permatrex material will not be allowed in the 30' buffer area and Council will need to choose either wood or trex material that is acceptable by CAMA. Staff recommendation is to select trex or wood and apply for a major permit which will take approximately 90 days. Wood advised that trex is not as strong as wood and would not support heavy equipment such as maintenance equipment. Wood advised that the permitting process will take approximately 90 days. Thompson advised that the permatrex material has been paid for by the Town. Canfield advised Council of their regret for the misunderstanding that have taken place and committed to getting the project back on track and moving forward. Concerning the material cost, Canfield is in contact with the contractor and the manufacturer to remedy the situation in a manner deemed acceptable by the Town. Canfield requested to work with Staff to finalize a proposal for Council consideration. Council expressed dissatisfaction with the services provided by Withers and Ravenel, advised that the Town will not pay any additional cost for this project, and may be due a refund depending on materials used.

Roundabout Landscaping Plan

Susan Parker reminded Council that the landscaping materials were approved in November 2013 and requested Council to allow Staff to proceed with NCDOT to get the area landscaped. The Council agreed.

Award Street Resurfacing Contract

Susan Parker advised that the Town received two phone inquiries and one formal bid for the street resurfacing. The initial project estimate was \$489,530 and the bid received was for \$432,876. The resurfacing project will be completed between September 9th and November 7th.

COUNCILWOMAN SCOTT MADE A MOTION TO AWARD THE STREET RESURFACING CONTRACT TO BARNHILL CONTRACTING COMPANY FOR AN AMOUNT NOT TO EXCEED \$432,876. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Twin Lakes Update and Consideration of Action

The Council reviewed the Aquatico report on the health of Twin Lakes and the memo prepared by Staff. Staff recommendation is for the full cost of the maintenance to revert back to the

Old Business (Cont.)

Twin Lakes Update and Consideration of Action (Cont.)

property owner and/or a Conservation Association since a revenue source is not established. Mayor Pro-Tem DeVita will continue to meet with the State agency to assist the owner or association with the maintenance.

COUNCILWOMAN SCOTT MADE A MOTION INSTRUCTING STAFF TO NOTIFY THE PROPERTY OWNER OF THE COUNCIL DECISION NOT TO CONTINUE MAINTENANCE OF THE LAKES AND TO GIVE AQUATICO 30 DAYS NOTICE THAT THE TOWN IS TERMINATING THE TWIN LAKES MAINTENANCE PORTION OF THE CONTRACT. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Annual Report

Mayor Pro-Tem DeVita advised that the Council has reviewed the draft Annual Report and correction have been made.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE FINAL DRAFT OF THE 2013/2014 ANNUAL REPORT AND FOR FUTURE REPORTS TO BE PRODUCED AS SOON AS THE FISCAL YEAR BUDGET IS APPROVED FOR DELIVERY TO THE PRINTER BY AUGUST 1 OF EACH YEAR FOR MAILING IN LATE AUGUST OR EARLY SEPTEMBER. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business

Merchants Association Update

Andrea Ward updated the Council on the advertising efforts of the Merchants Association and distributed publications the Association has developed. Association thanked the Council for their support.

Adoption of the Constitution Week Proclamation

COUNCILMAN SHERRILL MADE A MOTION TO ADOPT THE CONSTITUTION WEEK PROCLAMATION. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Authorization for Clerk to Advertising ABC Board Position with Term Expiration

COUNCILWOMAN SCOTT MADE A MOTION TO AUTHORIZE THE CLERK TO ADVERTISE THE ABC BOARD POSITION. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Committee Assignment Update – Mayor Watts

Mayor Watts advised that the formation of a Bike Committee has been deferred to the Planning Board. Mayor Watts advised Councilwoman Scott has requested to be removed as the Merchants Association liaison and that Councilman Johnson has agreed to be the liaison.

Old Business (Cont.)

Committee Assignment Update – Mayor Watts (Cont.)

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPOINT COUNCILMAN JOHNSON AS THE MERCHANTS ASSOCIATION LIAISON. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Accepting the Planning Board Bike Plan Recommendations

The Council reviewed the Bike Plan recommendation to install a sidewalk from the roundabout to Station Trail and to designate Live Oak Drive as a share the road bike path. Staff advised that it would take approximately 2 months to secure approval from NCDOT, NCDENR and CAMA for the sidewalk. Staff will provide estimated project cost during the October meeting.

Consideration of Accepting the Planning Board UDO Amendment Recommendations

and Scheduling a Public Hearing for the UDO Amendments on October 6, 2014 at 7:00 pm

COUNCILMAN SHERRILL MADE A MOTION TO ACCEPT THE PLANNING BOARD UDO AMENDMENT RECOMMENDATIONS AND SCHEDULE A PUBLIC HEARING FOR OCTOBER 6, 2014 AT 7:00 PM. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

John Corbett 423 Sailfish Street – Detailed the upcoming golf tournament scheduled for October 8th at Bricklanding Golf Club to benefit the Committee to Honor America's Veterans.

Charles Nern 647 Oyster Bay Drive – Thanked the Council and Staff; agreed with Twin Lakes decision; disagrees that a tree in the center of the roundabout will impair sight visibility; questioned the purpose of the liaisons and if funds were taken from the bike plan for Streetscape.

Jan Harris 206 North Shore Drive – Advised that NCDOT owns all of the storm drains South of Main Street including the outfall drain at the West end of Main Street. Questioned where the pipes are, what is their age, what is their composition, what is their life span, what is the replacement cost of the pipe and the road bed; requested Council to delay vote until unknown are addressed.

Lois McClellan 901 Wyndfall Drive – Updated the Council on the upcoming Sunset at Sunset event scheduled for October 4th.

Jim Stokes 658 Kings Trail – Advised that he is the recipient of the stormwater issue on Kings Trail and requested Council to encourage Staff to resolve the issues as soon as possible.

Rich Cerrato 517 Twisted Oak Lane – Read a prepared statement concerning funding issues with Main Street, Jaguar's Lair, Bike Plan and Streetscape.

Closed Session

COUNCILMAN SHERRILL MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (6) TO EVALUATE THE TOWN ADMINISTRATOR AND THE TOWN ATTORNEY. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILWOMAN SCOTT MADE A MOTION TO RETURN TO OPEN SESSION. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

MAYOR PRO-TEM DEVITA MADE A MOTION TO RECONVENE THE SEPTEMBER 8, 2014 REGULAR MEETING. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE

Adjournment

COUNCILWOMAN SCOTT MADE A MOTION TO ADJOURN THE SEPTEMBER 8, 2014 COUNCIL MEETING. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Ron Watts, Mayor

Submitted by:

Lisa Anglin, Town Clerk